

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 2:06-2412-DCN
)	
Plaintiff,)	
)	ORDER VACATING AND SETTING
)	ASIDE DECREE OF FORECLOSURE
)	AND SALE AND FOR DISMISSAL
vs.)	OF THE ACTION
)	
ANNETTE L. MERCER,)	
)	
Defendant(s).)	

Plaintiff has moved pursuant to Rule 60(b)(6), and Rule 41 (a)(2), Federal Rules of Civil Procedure, to vacate the Decree of Foreclosure and Sale heretofore filed by this Court on October 18, 2006, and to dismiss the action.

It appears that the defendant-mortgagor has made arrangements satisfactory to plaintiff by paying the account in full, and that foreclosure and sale of the premises in question are no longer necessary. All parties desire that plaintiff's motion be granted and there be a cessation of these proceedings.

It further appears that granting of the relief sought would be compatible and in keeping with the aims and goals of the federal program under which this loan was made; and would end the matter and result in conservation of time and resources for all concerned. Now, therefore, for good cause shown, it is

ORDERED, ADJUDGED AND DECREED that the Decree of Foreclosure and Sale filed in this matter on October 18, 2006,

be, and the same hereby is, vacated and set aside, and to be of no effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this action be, and the same hereby is, dismissed without prejudice.

Clerks of the Federal District Court and the appropriate County Court are authorized and directed to cancel of record any Lis Pendens which heretofore may have been filed in this action.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "D. Norton", is written over a horizontal line.

DAVID C. NORTON
UNITED STATES DISTRICT JUDGE

Charleston, South Carolina

February 13, 2007